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**FACSIMILE COVER SHEET**

Deliver to: Jungwon Chang, USPTO Art Group: 2154  
 Facsimile No.: (571) 273-8300 Date: August 5, 2005  
 From: H. Henry Black, Reg. No. 43,320  
 Our Docket No.: 4906P038 Number of pages 12 including this sheet.  
 Application No.: 09/904,371 Filing Date: 7/11/2001  
 Docket Due Date(s): 9/16/2005

Enclosed are the following documents:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: ..Responso ( 11 pgs) | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( pgs)                        | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: ( pgs) w/cover & abstract     | <input type="checkbox"/> Petition for:  |
| <input type="checkbox"/> Assignment & Cover Sheet ( pgs)            | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input checked="" type="checkbox"/> Certificate of Facsimile        | <input type="checkbox"/> Reply Brief ( pgs)                                       |
| <input type="checkbox"/> Continued Prosecution Application (CPA)    | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( pgs)                   | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: sheets, figures                  | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time:                         | <input type="checkbox"/> Response to Written Opinion ( pgs)                       |
| <input type="checkbox"/> Fee Transmittal (in duplicate)             | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( pgs)                     | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> Other                                      | <input type="checkbox"/> Transmittal Letter                                       |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

*Jane Wolfe*  
Jane Wolfe

8/5/2005

Date

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**RECEIVED  
CENTRAL FAX CENTER****AUG 05 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/904,371 Confirmation No. 1379  
First Named Inventor : Siegfried Luft  
Filed : July 11, 2001  
Title : Method and Apparatus for Providing Scalability and Fault Tolerance in a Distributed Network Art Unit 2154  
Examiner : Jungwon Chang  
Docket No. : 4906.P038  
Customer No. : 08791

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed June 16, 2005, in connection with the above referenced patent application, reconsideration in view of the following remarks is respectfully requested.

1

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

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August 5, 2005

(Date of Deposit)

Jane Wolfe

(Printed name)

August 5, 2005

(Signature)

(Date)